

SCOTTISH BORDERS COUNCIL
CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held in COMMITTEE ROOMS 2 AND 3,
COUNCIL HEADQUARTERS, NEWTOWN
ST BOSWELLS on Friday, 18 March 2016 at
11.00 a.m.

Present:- Councillors W. Archibald, J. Campbell, J. Greenwell, B. Herd, G. Logan,
D. Paterson, J. Torrance, T. Weatherston, B White.
Apologies:- Councillor R. Stewart.
In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader,
Licensing Standards and Enforcement Officers (Mr I Tunnah and Mr M.
Wynne), Democratic Services Officer (F Henderson), P.C. P. Robertson,
Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 19 February 2016 had been circulated.

DECISION

APPROVED and signed by the Chairman.

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

There had been circulated copies of lists detailing the Civic Government and
Miscellaneous Licences issued under delegated powers between 11 February – 9 March
2016.

DECISION

NOTED.

3. **PRIVATE LANDLORD REGISTRATION GOVERNANCE**

There had been circulated copies of a report by the Service Director Regulatory Services
which proposed that the Civic Government Licensing Committee decide cases where
Officers recommend that a private sector landlord was refused registration, or should be
removed from the Private Landlord Register. The report outlined Part 8 of the Antisocial
Behaviour etc (Scotland) Act 2004 which required private landlords, their agents and
properties to be listed on a public register. As a result of staff turnover and service re-
structuring it had been identified that new arrangements required to be put in place by the
Council to deal with any cases where Officers recommend that a private sector landlord
was refused registration or removal from the Private Landlord Register. In the event that
any landlord registration appeals arose there was existing statutory provision that these
could be considered by the Sheriff Court. The Service Director Regulatory Services was
present at the meeting and answered members questions and advised members that the
powers be used carefully and as a last resort in line with the advice from the Scottish
Government that Councils employ a 'light touch' in landlord registration matters, and
Officers had been routinely dealing with such matters since the Scheme was introduced.

DECISION

- * (a) **AGREED TO RECOMMEND to Council the addition to the remit of
the Civic Government Licensing Committee to decide cases where
Officers recommend that a private sector landlord be refused registration,
or that a private sector landlord be removed from the Private Landlord**

Register and that this addition be incorporated into the scheme of administration.

- (b) AGREED that a briefing be undertaken for Members of the Civic Government Licensing Committee on the legal aspects and social work implications of refusing a private sector landlord registration or removing a private sector landlord from the Private Landlord Register.**

SUMMARY OF PRIVATE BUSINESS

LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS – MARCIN KRAJEWSKI

1. The Committee considered a request for the suspension of a Taxi Driver Licence.

MINUTE

2. The Private section of the Minute of 19 February 2016 had been circulated.

The meeting concluded at 11.30 a.m.